

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
CLERK'S OFFICE
AUG 19 2004 A 9:50

UNITED STATES OF AMERICA)

v.)

FABIAN CALVILLO-SANCHEZ,)
Defendant)

ASSENTED TO MOTION TO CONTINUE RULE 11 HEARING

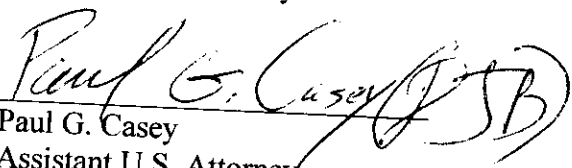
Counsel hereby moves to change the Rule 11 Hearing presently scheduled from August 24, 2004 to September 10, 2004.

As reasons therefore, counsel states that he is on vacation on August 24, 2004 and not available. Counsel is previously committed to the following court appearances: *Commonwealth v. Aguair*, Quincy District Court, August 31, 2004. *Commonwealth v. Muir*, Docket No. 0307CR007478, Dorchester District Court, a trial which is anticipated to go two days on September 1, 2004; *Commonwealth v. Harrison*, Docket No. 0434CR001201, Attleboro District Court, a motion hearing on September 3, 2004; *Commonwealth v. Routhier*, Docket No. 0356CR007879, Quincy District Court, a motion hearing on September 7, 2004; *Commonwealth v. Morrison*, Indictment No.'s. 04-000914-001-005, Essex County Superior Court, a motion hearing on September 8, 2004; *Commonwealth v. O'Connell*; Docket No. 0352CR002716, Cambridge District Court, a trial on September 9, 2004.


The parties would also request that the period from August 24, 2004 (date of expiration of prior order of excludable time), to the next Rule 11 Hearing be excluded because a non-trial disposition serves the ends of justice and outweighs the best interest of the public and the defendant in a speedy trial, pursuant to 18 U.S.C. § 3161(h)(8)(A).

ASSENTED TO:

Michael J. Sullivan
United States Attorney


Paul G. Casey
Assistant U.S. Attorney
Donohue Federal Building & Courthouse
595 Main Street
Worcester, MA 01608

Fabian Calvillo-Sanchez
Defendant


Daniel J. Bennett, BBO No. 564059
Torney, Mahoney, Diamond & Bennett
15 Foster Street
Quincy, MA 02169
617-770-0000

Dated: August 18, 2004

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DISTRICT OF MASSACHUSETTS

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FABIAN CALVILLO-SANCHEZ,)
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CERTIFICATE OF SERVICE

I, Daniel J. Bennett, do hereby certify that on this date I served the foregoing documents:

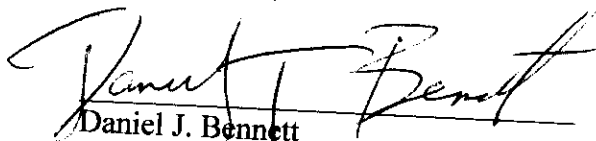
1. Assented To Motion to Continue Rule 11 Hearing; and
2. Certificate of Service.

By regular first class mail to:

Paul G. Casey, Assistant U.S. Attorney
United States Attorneys Office
District of Massachusetts
Donohue Federal Building & Courthouse
595 Main Street
Worcester, MA 01608

Respectfully Submitted,
Fabian Calvillo-Sanchez
By his Attorney,

Dated: August 18, 2004


Daniel J. Bennett
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